



THE AUTHORISED MENTAL HEALTH PRACTITIONER Newsletter

December 2002

Jigsaw, the Newsletter for all Authorised Mental Health Practitioners

INFORMATION FROM THE CHIEF PSYCHIATRIST DR ROWAN DAVIDSON

RE: REFERRALS UNDER THE MENTAL HEALTH ACT 1996 (THE 'ACT')

I recently met with Dr Garry Wilkes and Mr Bob Barker from St John Ambulance Service as well as Inspector Bob Phipps from the Police Service to clarify issues regarding the referral of persons suspected of having a mental illness for examination by a psychiatrist under the Act. This information outlines the agreement we reached with regard to referrals by medical practitioners and authorised mental health practitioners with reference to the involvement of the Police Service in line with legal requirements under the Act.

Under s.29 of the Act, medical and authorised mental health practitioners (AMHPs) have the power to refer a person they suspect of having a mental illness for examination by a psychiatrist (Form 1 Referral for examination). The place of examination is usually an authorised hospital. **Referrers are expected to use the least restrictive option** and transport by the referrer or mental health staff should be considered as appropriate to the condition of the person. However, if the condition of the person is such that assistance is required to take the person to the examination and **no suitable alternative** is available the referrer may authorise a Police Officer to apprehend the person and take them for the examination (s.34). This is done by the completion of a Form 3 (Transport Order) which is given to the police.

It is not mandatory to complete a Form 3 when completing a Form 1. A Form 3 should only be completed when police assistance is required because of the condition of the patient. It is up to the referrer to make a judgement as to whether police assistance is required. This decision can be made in consultation with the Ambulance Service, however the decision remains with the referrer. On a number of occasions the referrer may decide that because of the compulsory aspect of the order or the potential unpredictability of the person referred that police assistance is required. However, there will also be times when a person is being referred under the Act where the person can be safely transported to the authorised hospital without police assistance. The power given to medical practitioners or AMHPs to authorise police assistance requires an assessment of risk. If the assessment indicates that police assistance is not required then involving the police in the transport is a misuse of their time and contrary to the Act where one of the principles is that persons having a mental illness receive the best care and treatment with the least restriction of their freedom and the least interference with their rights and dignity. It is important for issues of safety both for the person and others that police are involved when necessary however it is not always necessary and persons who have a mental illness are entitled to protections under the Act. I have distributed this information to all medical practitioners at Emergency Departments and to General Practitioners. Through their respective organisations this information will also be available to the police and ambulance services. If you have any queries regarding these matters please feel free to contact myself or Tim Rolfe.

Review of the Mental Health Act 1996- Information about the Review and minutes from the working groups and eventually the submissions will be posted on the Review website. Please add this to your favourites- www.health.wa.gov.au/mhareview

Chief Psychiatrist Change of AMHP Policy

Until recently the Chief Psychiatrist's policy with regard to the role of AMHPs was that only when a medical practitioner was not available should an AMHP use his or her referral powers under section 29 of the Act. Dr Davidson, in recognising the skills and experience of AMHPs has decided that that policy is no longer relevant. His practice direction is that as the Act does not dictate a hierarchy in who should refer, he no longer requires that the non-availability of a medical practitioner should determine the use of an AMHP. From now on the use of Medical Practitioners or AMHPs will be determined by the demands of the situation not by the discipline.

AUTHORISED MENTAL HEALTH PRACTITIONER FORUMS

Three AMHP Forums were held in late October and early November at East Perth, Fremantle and the Teleconference Centre. The Forums consisted of presentations by Peter Tyson on the AMHP role in relation to the Criminal Law (Mentally Impaired Defendants) Act 1996, the Inner City Team on Peer Supervision, David Bruce or myself on Review of the Act and Selva Stenross from the Law Centre on a consumer's perspective of the referral process. Dr Davidson, the Chief Psychiatrist attended all the Forums and along with Bob Phipps from the Police Service and Neville Barber from the Mental Health Review Board made up the panel for the Q & A session.

The Forums were interesting, informative and at times controversial and I would like to thank all AMHPs who attended for making the effort to attend and the presenters for their hard work.

If you have any ideas for on-going education and training for AMHPs please forward your ideas to the editor of Jigsaw



Seasons Greetings

from

Dr Rowan Davidson, Chief Psychiatrist

and the Staff of the OCP

Janet Peacock, Yvonne Pallier,

Doris Remse & Tim Rolfe

Six Monthly Notifications

It is almost time again for the 6 monthly notifications. The Notification Form will be e-mailed to all AMHPs in January 2003. For those who fail to respond I will send out the forms by snail mail.

It is disappointing that some AMHPs do not respond even at the third or fourth time of asking. The Chief Psychiatrist has agreed that from now on AMHPs who do not respond will be removed from the Register unless there is an appropriate reason such as long service leave or long term sickness which would explain their failure to respond. It is part of the Regulations that 6-monthly notifications are complied with and failure to respond, despite reminders, would indicate that the AMHP has no further interest in carrying out the role.

Some Stats for the first half of 2002

During that 6-month period AMHPs completed 802 assessments under the Mental Health Act. They referred a person on a Form 1, 199 times and used a Form 3 on 156 occasions.

Region	Assessments	Form 1	Form 3
East Metro	88	25	23
PET Frankland Graylands Selby	343	73	60
North Metro Community	109	34	27
South Metro	177	46	29
Inner City	47	8	7
North West	2	1	1
Greater Southern & South West	15	8	5

Please note that the stats will only be as good as the information provided via the Notification Forms.